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OCT 05 2023

CLERK IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA
U.S. DISTRICT COURT

NO: 8:23CV436

DAVID S. WRAGGS.)

Plaintiff,)

COMPLAINT

LOZIER CORPORATION)

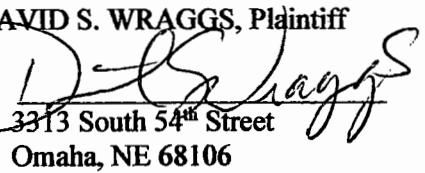
Defendant.)

COMES NOW David S. Wraggs, Plaintiff, and for his cause of action against Defendant, states:

1. At all times material, Defendant is a foreign corporation authorized to do business in the State of Nebraska.
2. On March 3, 2021, Plaintiff's assigned duties as an employee of Defendant was that of a fork lift driver
3. On March 23, 2021 a manager of the Defendant (auditor) referred to Plaintiff by the racial slur of "Nigger". That Plaintiff's supervisor instructed Plaintiff to write an narrative account of this incident. Plaintiff's supervisor thereafter disposed of the narrative complaint and it is not included in Plaintiff's personnel file.
4. On March 23, 2021 Plaintiff was placed on suspension because of his complaint regarding Defendant's racial slur.
5. On March 23, 2021 Plaintiff's supervisor and another supervisor escorted Plaintiff from Defendant's premises and Plaintiff's supervisor aimed a kick at Defendant's backside while Defendant was exiting the door to the Defendant's premises.
6. Defendant's HR representative told Plaintiff he was suspended for threatening violence in the workplace and this was the cause of the use of the racial slur.
7. That because of the aforementioned incident, Plaintiff was terminated from his employment with Defendant.
8. That Defendant's actions have violated Plaintiff's rights under the 1964 Civil Rights Act.
9. That Plaintiff has exhausted his administrative remedies

WHEREFORE, Plaintiff prays for judgment against Defendant for violations of his Civil Rights as provided by law.

DAVID S. WRAGGS, Plaintiff



3313 South 54th Street
Omaha, NE 68106

U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
FILED

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